

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-36604-2019 (O&M)

Date of decision:-16.10.2023

MATA JARNAIL KAUR MEMORIAL INSTITUTE OF
NURSING AND PARAMEDICAL SCIENCES SRI MUKTSAR
SAHIB

.... Petitioner

Vs

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE ACTING CHIEF JUSTICE
HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Ravi Singh, Advocate for
Mr. Saurav Manchanda, Advocate for the petitioner.

Mr. Abhay Pal Singh Gill, DAG, Punjab.

Mr. J.S. Rattu, Advocate for respondent No.3.

Mr. Ambanshu Sahni, Advocate for respondent No.4.

Ritu Bahri, Acting Chief Justice (Oral)

Reply by way of affidavit has been filed on behalf of respondents No. 1 and 2, which is taken on record. Copy stands supplied.

As per the reply filed by respondents No. 1 and 2 dated 16.10.2023, respondent No.1 has issued a letter dated 25.11.2022, Annexure R-3 and as per Annexure R-3, the Government of Punjab has decided to re-issue an revised essentiality certificate/no objection certificate to Mata Jarnail Kaur Memorial Institute of Nursing and

Paramedical Sciences, Kotakpura Road, District Sri Muktsar Sahib (Punjab) by making certain amendments to intake of total 60 seats of GNM Nursing course with the following conditions:-

- “1 (a) *The Institute shall obtain recognition from the Punjab Nursing Registration Council, before making admissions.*

(b) *The institute shall apply to the Indian Nursing Council for grant of suitability, within 06 months of the grant of recognition from the State Council, and ensure that its name is included in the list of “State Nursing Council recognized institutions inspected under Sections 13 and 14 of Indian Nursing Council Act 1947” and should ensure that its name is duly displayed in the list published on the official website of the Indian Nursing Council.*
2. *No admission shall be made without the prior approval of Punjab Government for which the Institute would make a separate application after putting up the requisite Building infrastructure/Machinery and equipment/staff/hostel etc. as per norms.*
3. *The admissions, fee structure and reservation of seats shall be as per Punjab Government instructions and policies issued from time to time.*
4. *The pay scales and emoluments of their staff shall be as per Punjab Government pay scales.*
5. *The inspection of the institute shall be carried out on yearly basis up to the completion of the study of first batch of the students. Thereafter, the inspection shall be periodical after three years.*
6. *The project is to be implemented as per the approved project report within prescribed time.*

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- 7. *The Institute shall all times abide by the conditions laid down by the Punjab Govt./Council/University etc.*
- 8. *The Punjab Government will have the right to withdraw the No Objection Certificate if it is found that the Society/applicant has furnished wrong and misleading information or concealed some vital information or if the society/applicant fails to meet any of the conditions of it.*
- 9. *The construction work shall be completed within one year and admission shall be made within 2 years of the issue of NOC. The institute shall be allowed to make admission only if it constructs its own building on the proposed land.*
- 10. *The institute shall abide by provisions of Punjab Private Health Sciences Educational Institution (Regulations and admission fixation of fee and making reservation) Act, 2006.”*

Keeping in view the above said letter Annexure R-3, this petition is disposed of with liberty to the petitioner to take appropriate remedy, in accordance with law, if so advised.

(RITU BAHRI)
ACTING CHIEF JUSTICE

(MANISHA BATRA)
JUDGE

16.10.2023
pooja saini

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No